

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: NATIONAL FOOTBALL LEAGUE:
PLAYERS' CONCUSSION
INJURY LITIGATION

No. 2:12-md-02323-AB

MDL No. 2323

Kevin Turner and Shawn Wooden,
*on behalf of themselves and
others similarly situated,*
Plaintiffs,

CIVIL ACTION NO: 14-cv-0029

v.

National Football League and
NFL Properties LLC,
successor-in-interest to
NFL Properties, Inc.,
Defendants.

Hon. Anita B. Brody

THIS DOCUMENT RELATES TO:
ALL ACTIONS

**DECLARATION OF
T. DAVID GARDI**

I, T. DAVID GARDI, hereby declare as follows:

1. I am a Senior Vice President of Football Operations for the National Football League. I make this declaration, on personal knowledge, in support of the Memorandum of Law in Support of Final Approval of the Class Action Settlement Agreement filed by the National Football League (the "NFL") and NFL Properties LLC, and if called as a witness, I could and would testify competently to the facts stated herein.

2. I have reviewed the Class Action Settlement Agreement as of June 25, 2014 (Doc. No. 6087, the "Settlement Agreement") and am generally familiar with its contents. The Settlement Agreement in various sections refers to "World League of

American Football, NFL Europe League and NFL Europa League.” (See Settlement Agreement §§ 2.1(ffff), 6.7(c)(i).)

3. I submit this Declaration to provide the Court with an overview of the World League of American Football—later known as NFL Europe and NFL Europa—a professional football league which operated from 1991 to 1992 and again from 1995 to 2007 (the “European League”). Specifically, I describe a key difference between the European League’s and the NFL’s contractual relationships with their players.

Background of the European League

4. Beginning in 1991, the European League consisted of ten teams, seven of which were based in North America (six in the United States and one in Canada) and three in Europe.

5. From 1991 to 1992, the European League was referred to as the World League of American Football, Inc., a Delaware corporation doing business in Texas and an affiliate of the NFL. Player Contracts with domestic players were made under and governed by the laws of the State of Texas, and training camp was held in Florida and Texas for all players.

6. The European League was not in operation from 1993 to 1994.

7. In 1995, the European League was reconstituted and consisted of six teams, all of which were based in Europe.

8. From 1995 to 1998, the European League was referred to as the World League of Georgia, Inc., a Georgia corporation and an affiliate of the NFL. Player

Contracts with domestic players were entered into, made under, and governed by the laws of the State of Georgia. Training camp was held in Georgia for all players.

9. From 1999 to 2007, the European League was referred to as NFL Europe Florida, Inc. (or World League of Florida, Inc. in 1999), a Florida corporation and an affiliate of the NFL. Player Contracts with domestic players were entered into, made under, and governed by the laws of the State of Florida. Training camp was held in Florida for all players.

10. The European League ceased operations in 2007.

Contractual Relationships with Players

11. From 1991 to 2007, Player Contracts between the European League and the players specified that the European League, not the teams, was the player's employer. By contrast, NFL Player contracts expressly state that Member Clubs employ the players.

12. For this reason, from 1992 to 2007, the European League, as the employer, maintained workers' compensation insurance in connection with its employment of domestic players. In return, the players specifically agreed in their Player Contracts to elect to choose the State of Georgia (1995-1998) and the State of Florida (1999-2007) as the exclusive jurisdiction for the filing and litigation of any claims for workers' compensation benefits.

13. By contrast, Member Clubs in the NFL, as opposed to the NFL itself, maintain workers' compensation insurance for players.

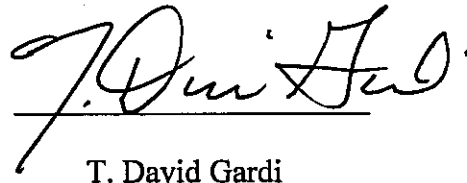
Developmental League

14. The European League is further distinguished from the NFL because it was a spring developmental league, with a shorter season, fewer practices and a shorter training camp than the NFL. For example, in 2007, the European League played 10 games rather than the NFL's 20 (16 regular season and 4 preseason games), included a 2 week training camp, as opposed to 6 weeks in the NFL and had a season that lasted 11 weeks as compared with the NFL's 5 months.

15. Many players used the European League as a platform to increase their skill and gain notice by NFL Member Clubs in hopes of earning NFL roster spots.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
November 12, 2014



T. David Gardi